

**SUPREME COURT MINUTES  
TUESDAY, MAY 14, 2013  
SAN FRANCISCO, CALIFORNIA**

**S086355****PEOPLE v. LEWIS, SR.,  
(KEITH ALLEN)**

Extension of time granted

Good cause appearing, and based upon counsel Pamala Sayasane's representation that she anticipates filing the appellant's reply brief by February 2014, counsel's request for an extension of time in which to file that brief is granted to July 9, 2013. After that date, only four further extensions totaling about 210 additional days are contemplated.

**S142857****PEOPLE v. DUNLAP (DEAN  
ERIC)**

Extension of time granted

Good cause appearing, and based upon Assistant State Public Defender Jessica K. McGuire's representation that she anticipates filing the appellant's opening brief by mid-September 2014, counsel's request for an extension of time in which to file that brief is granted to July 5, 2013. After that date, only seven further extensions totaling about 420 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S155510****PRINCE, JR., (CLEOPHUS)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Gary B. Wells's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by September 10, 2013, counsel's request for an extension of time in which to file that document is granted to July 15, 2013. After that date, only one further extension totaling about 60 additional days will be granted.

**S167108****WATSON (PAUL GREGORY)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Geraldine S. Russell's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by September 15, 2013, counsel's request for an extension of time in which to file that document is granted to July 15, 2013. After that date, only one further extension totaling about 60 additional days is contemplated.

**S174549****HAMILTON (BERNARD LEE)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Sara M. Cohbra's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by October 30, 2013, counsel's request for an extension of time in which to file that document is granted to July 15, 2013. After that date, only two further extensions totaling about 110 additional days are contemplated.

**S206365**

B227606 Second Appellate District, Div. 6

**PEOPLE v. GUTIERREZ  
(LUIS ANGEL)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to June 10, 2013.

**S204032**

B235158 Second Appellate District, Div. 2

**ISKANIAN (ARSHAVIR) v.  
CLS TRANSPORTATION OF  
LOS ANGELES LLC**

Application to appear as counsel pro hac vice granted

The application of Edward Berbarie for admission pro hac vice to appear on behalf of The National Retail Federation and Rent-A-Center, Inc., is hereby granted. (See Cal. Rules of Court, rule 9.40.)

**S204032**

B235158 Second Appellate District, Div. 2

**ISKANIAN (ARSHAVIR) v.  
CLS TRANSPORTATION OF  
LOS ANGELES LLC**

Application to appear as counsel pro hac vice granted

The application of Robert Friedman for admission pro hac vice to appear on behalf of The National Retail Federation and Rent-A-Center, Inc., is hereby granted. (See Cal. Rules of Court, rule 9.40.)

**S208967**      B235143 Second Appellate District, Div. 6      **PEOPLE v. MERAZ  
(VICTOR)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Daniel Mrotek is hereby appointed to represent appellant on the appeal now pending in this court.

**S070536**      **PEOPLE v. MACIEL (LUIS  
PELON)**

Request for judicial notice denied

The request for judicial notice, filed on February 20, 2007, is denied.

**S194121**      D056943 Fourth Appellate District, Div. 1      **ELK HILLS POWER LLC v.  
BOARD OF EQUALIZATION**

Request for judicial notice granted

The California Taxpayers Association's request for judicial notice filed on June 8, 2012, is granted with respect to exhibit 7 [Senate Revenue and Taxation Committee, May 10, 1995, Digest and Analysis of SB 657]; exhibit 9 [Senate Rules Committee, June 30, 1995, Senate Floor Digest and Analysis of SB 657 (Third Reading)]; exhibit 10 [Assembly Committee on Revenue and Taxation, Digest and Analysis of SB 657 for July 12, 1995, Hearing]; exhibit 11 [Assembly Committee on Appropriations, Digest and Analysis of SB 657 for July 26, 1995, Hearing]; exhibit 12 [Senate Third Reading, Digest and Analysis of SB 657 as amended June 29, 1995]; exhibit 14 [Governor's Office of Planning and Research, September 25, 1995, Enrolled Bill Report for SB 657]; and exhibit 20 [California State Board of Equalization Property Tax Committee Meeting Minutes (November 17, 1998)]. The rest of its request is denied.

The Broadband Tax Institute's request for judicial notice filed on June 8, 2012, is granted with respect to exhibit 1 [California State Board of Equalization, Assessors' Handbook Section 501, "Basic Appraisal" (Jan. 2002) at pp. 1, 3, 5, 13, 26, 75-77, 109-110]; exhibit 3 [The Appraisal of Real Estate (13th ed. 2008) at pp. 7, 385-388, 561]; and exhibit 4 [San Joaquin Valley Unified Air Pollution Control District Rule 2092]. The rest of its request is denied.

Elk Hills Power, LLC's request for judicial notice filed on July 25, 2012, is denied.

The California State Board of Equalization's request for judicial notice filed on March 21, 2012, is denied.

**S198395**      E051663 Fourth Appellate District, Div. 2      **PEOPLE v. G3 HOLISTIC,  
INC.**

Order filed

The motion to set this matter for argument, filed May 13, 2013, is denied.

Further action in this case is deferred pending the finality of our decision, filed May 6, 2013, in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc., et al.*, S198638.

**S204387**

B237147 Second Appellate District, Div. 7

**VALDEZ (ELAYNE) v.  
WORKERS'  
COMPENSATION APPEALS  
BOARD & WAREHOUSE  
DEMO SERVICES**

Order filed

The court has granted permission to file respondents' untimely response to petitioner's motion to strike portions of respondents' opening brief on the merits. The clerk is directed to file said response forthwith.

**S201642****SPIEKER ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID MICHAEL SPIEKER, State Bar Number 215548, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. DAVID MICHAEL SPIEKER is suspended from the practice of law for the first one year of probation;
2. DAVID MICHAEL SPIEKER must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 14, 2013; and
3. At the expiration of the period of probation, if DAVID MICHAEL SPIEKER has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

DAVID MICHAEL SPIEKER must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

DAVID MICHAEL SPIEKER must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-fourth of the costs must be paid with his membership fees for each of the years 2014, 2015, 2016, and 2017. If DAVID MICHAEL SPIEKER fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S209209****BARTOUMIAN ON  
DISCIPLINE**

Recommended discipline imposed

The court orders that ARSHAK BARTOUMIAN, State Bar Number 210370, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. ARSHAK BARTOUMIAN must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 8, 2013; and
2. At the expiration of the period of probation, if ARSHAK BARTOUMIAN has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

ARSHAK BARTOUMIAN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2014 and 2015. If ARSHAK BARTOUMIAN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S209212****HELLEWELL ON  
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that BENJAMIN DIEGO HELLEWELL, State Bar Number 263188, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

BENJAMIN DIEGO HELLEWELL must make restitution to the following payees:

- (1) Jason Ronnenstrand in the amount of \$1,000 plus 10 percent interest per year from May 13, 2010;
  - (2) Karen Book in the amount of \$2,400 plus 10 percent interest per year from April 23, 2010;
- Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

BENJAMIN DIEGO HELLEWELL must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S209213****KYLE ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID KYLE, State Bar Number 55821, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. DAVID KYLE is suspended from the practice of law for the first six months of probation;
2. DAVID KYLE must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 4, 2013; and
3. At the expiration of the period of probation, if DAVID KYLE has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

DAVID KYLE must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S209215****LUTI ON DISCIPLINE**

Recommended discipline imposed

The court orders that ANTHONY NGULA LUTI, State Bar Number 207852, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. ANTHONY NGULA LUTI is suspended from the practice of law for the first 120 days of probation;
2. ANTHONY NGULA LUTI must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 17, 2013; and
3. At the expiration of the period of probation, if ANTHONY NGULA LUTI has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

ANTHONY NGULA LUTI must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

ANTHONY NGULA LUTI must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7

and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2014 and 2015. If ANTHONY NGULA LUTI fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S209217****SAN JOSE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that VIVIAN C. SAN JOSE, State Bar Number 222909, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

VIVIAN C. SAN JOSE must make restitution to the following payees:

- (1) Rosaura Medina in the amount of \$2,500 plus 10 percent interest per year from February 24, 2010, and in the amount of \$800 plus 10 percent interest per year from March 9, 2010;
- (2) José D. Rivas in the amount of \$1,500 plus 10 percent interest per year from June 2, 2011, in the amount of \$1,000 plus 10 percent interest per year from July 2, 2011, in the amount of \$1,000 plus 10 percent interest per year from August 2, 2011, and in the amount of \$990 plus 10 percent interest per year from September 2, 2011;
- (3) Bill De La Rocha in the amount of \$2,500 plus 10 percent interest per year from June 21, 2011, and in the amount of \$500 plus 10 percent interest per year from July 8, 2011;
- (4) Ernesto Garcia in the amount of \$3,015 plus 10 percent interest per year from October 2, 2010;
- (5) José D. Arambula in the amount of \$500 plus 10 percent interest per year from June 7, 2011, in the amount of \$500 plus 10 percent interest per year from July 13, 2011, in the amount of \$500 plus 10 percent interest per year from August 9, 2011, in the amount of \$500 plus 10 percent interest per year from October 21, 2011, and in the amount of \$540 plus 10 percent interest per year from November 4, 2011;
- (6) Paula Saldana in the amount of \$500 plus 10 percent interest per year from November 16, 2010, in the amount of \$1,300 plus 10 percent interest per year from December 14, 2010, and in the amount of \$339 plus 10 percent interest per year from August 8, 2011; and
- (7) Sergio Rodriguez in the amount of \$2,500 plus 10 percent interest per year from March 1, 2011.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

VIVIAN C. SAN JOSE must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S209220****TRUONG ON DISCIPLINE**

Recommended discipline imposed

The court orders that HOA PHU TRUONG, State Bar Number 156411, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. HOA PHU TRUONG is suspended from the practice of law for the first 90 days of probation;
2. HOA PHU TRUONG must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 15, 2013; and
3. At the expiration of the period of probation, if HOA PHU TRUONG has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

HOA PHU TRUONG must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

HOA PHU TRUONG must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2014 and 2015. If HOA PHU TRUONG fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S209222****WEINSTOCK ON  
DISCIPLINE**

Recommended discipline imposed

The court orders that JUDITH GROSS WEINSTOCK, State Bar Number 93413, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for one year subject to the following conditions:

1. JUDITH GROSS WEINSTOCK is suspended from the practice of law for the first thirty days of probation;
2. JUDITH GROSS WEINSTOCK must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 11, 2013; and
3. At the expiration of the period of probation, if JUDITH GROSS WEINSTOCK has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.



JUDITH GROSS WEINSTOCK must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with her membership fees for each of the years 2014 and 2015. If JUDITH GROSS WEINSTOCK fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S209224****WILLIS ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JACK R. WILLIS, State Bar Number 43789, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JACK R. WILLIS must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**BAR MISC. 4186    IN THE MATTER OF THE APPLICATION OF THE COMMITTEE  
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA  
FOR ADMISSION OF ATTORNEYS (MOTION NO. 1,081)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)